

DECLARATION FOR UTILITY/DESIGN PATENT APPLICATION

AS A BELOW-NAMED INVENTOR, WE HEREBY DECLARE THAT:

Our residence, post office address, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: CANINE TOXICITY GENES, the specification of which is attached hereto unless the following box is checked:

was filed on July 23, 2001 as United States Application Serial No. 09/911,904.

WE HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority (laimed?
			□Yes	□No

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/220,057	July 21, 2000

Application Serial No.	Filing Date	Status		
	-	□Patented	□Pending	□Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

3-4-02

Residence:

Citizonship:

Post Office Address:

Specificat B. FARR

5 Guendolyn Court, Statis Fe. 1910/187301 5 Gwendolyn Court,
U.S.A.
Same as above

Date

Name:

Gavin G, PICKETT

Residence:

9601 Avenida de la luna N.E., Albuquerque, New Mexico 87111

Citizenship:

U.S.A.

Post Office Address:

Same as above

Date

Name:

Robin Eileen NEFT

Residence:

424 Serenity Ct. SE, Albuquerque, NM 87123

Citizenship:

U.S.A. Post Office Address:

Same as above

Date

Name:

Robert Thomas DUNN, II

Residence:

5383 Kim Road B, Rio Rancho, NM 87124

Citizenship:

U.S.A.

Post Office Address:

Same as above



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	Name:	Spencer B FARR
Date	Residence:	5 Guendolyn Court, Santa Fe, NM 87501
	Cıtizenship	U S.A.
	Post Office Address	Same as above
2/25/02 Date	Havin Name:	J. Pickett
	Residence	9601 Avenida de la luna N E , Albuquerque, New Mexico 87111
	Citizenship	U.S A.
	Post Office Address:	Same as above
	Name:	Robin Eileen NEFT
Date	Residence:	
)alc	Citizenship	424 Serenity Ct. SE, Albuquerque, NM 87123 U.S.A.
	Post Office Address:	Same as above
Date	Name:	Robert Thomas DUNN, II
	Residence	5383 Kım Road B, Rio Rancho, NM 87124
	Citizenship:	U S.A

Same as above

Post Office Address:



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Name

Spencer B FARR

Residence

5 Guendolyn Court, Santa Fe, NM 87501

Cıtizenship

U.S.A.

Post Office Address:

Same as above

Date

Date

Name:

Gavin G. PICKETT

Residence

9601 Avenida de la luna N.E., Albuquerque, New Mexico 87111

Citizenship.

US.A.

Post Office Address

Same as above

Name

Residence:

424 Serenity Ct. SE, Albuquerque, NM 87123

U.S.A. Cıtızenship

Post Office Address:

Same as above

Date

Name:

Robert Thomas DUNN, II

Residence

5383 Kım Road B, Rio Rancho, NM 87124

Citizenship:

US.A

Post Office Address

Same as above

OFFICIAL SEAL Cynthia A. Padilla



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Date	Residence	9601 Avenida de la luna N.E , Albuquerque, New Mexico 87111
Date	Name:	Gavin G. PICKETT
		·
\$.	1 001 01110 1100 000	
	Post Office Address:	Same as above
	Citizenship.	U.S.A.
Date	Residence:	5 Guendolyn Court, Santa Fe, NM 87501
	Name:	Spencer B FARR

Citizenship: U.S A.

Post Office Address Same as above

Name: Robin Eileen NEFT

Date Residence: 424 Serenity Ct. SE, Albuquerque, NM 87123

Citizenship: U.S.A.

Post Office Address: Same as above

3/26/02

Robert Thomas DUNN, II

Residence: 5383 Kim Road B, Rio Rancho, NM 87124

Citizenship: U.S.A
Post Office Address Same as above



N THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Spencer B. FARR et al.

Serial No.:

09/911,904

Filing Date:

July 23, 2001

For:

CANINE TOXICITY GENES

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY UNDER 37 C.F.R. § 3.71

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

Phase-1 Molecular Toxicology, Inc., the assignee of the entire right, title and interest in this patent application, under 37 C.F.R. § 3.71 hereby appoints:

Lisa A. Amii (Reg No. 48,199) Mehran Arjomand (Reg No. 48,231) Sanjay S. Bagade (Reg No. 42,280) Shantanu Basu (Reg No. 43,318) Vincent J. Belusko (Reg No. 30,820) Kimberly A. Bolin (Reg No. 44,546) Tyler S. Brown (Reg No. 36,465) A. Randall Camacho (Reg No. 46,595) Robert K. Cerpa (Reg No. 39,933) Alex Chartove (Reg No. 31,942) Thomas E. Ciotti (Reg No. 21,013) Matthew M. D'Amore (Reg No. 42,457) Peter Davis (Reg No. 36,119) Karen B. Dow (Reg No. 29,684) Carolyn A. Favorito (Reg No. 39,183) Hector Gallegos (Reg No. 40,614) Debra J. Glaister (Reg No. 33,888) Bruce D. Grant (Reg No. 47,608) Douglas G. Hodder (Reg No. 41,840)

Randolph Ted Apple (Reg No. 36,429) Laurie A. Axford (Reg No. 35,053) Erwin J. Basinski (Reg No. 34,773) Richard R. Batt (Reg No. 43,485) Jonathan Bockman (Reg No. 45,640) Barry E. Bretschneider (Reg No. 28,055) Nicholas Buffinger (Reg No. 39,124) Mark R. Carter (Reg No. 39,131) Peng Chen (Reg No. 43,543) Thomas Chuang (Reg No. 44,616) Cara M. Coburn (Reg No. 46,631) Rai S. Davé (Reg No. 42,465) David Devernoe (Reg No. 29,684) Stephen C. Durant (Reg No. 31,506) David L. Fehrman (Reg No. 28,600) Thomas George (Reg No. 45,740) Kenneth R. Glick (Reg No. 28,612) Johney U. Han (Reg No. 45,565) Alan S. Hodes (Reg No. 38,185)

Charles D. Holland (Reg No. 35,196) Peter Hsieh (Reg No. 44,780) Wayne Jaeschke, Jr. (Reg No. 38,503) Parisa Joriani (Reg No. 46,813) Richard C. Kim (Reg No. 40,046) Lawrence B. Kong (Reg No. P49,043) Glenn Kubota (Reg No. 44,197 Michael J. Mauriel (Reg No. 44,226) Philip A. Morin (Reg No. P-45,926) Mabel Ng (Reg No. P48,922) Catherine M. Polizzi (Reg No. 40,130) Robert E. Scheid (Reg. No. 42,126) Terri Shieh-Newton (Reg No. 47,081) Kevin R. Spivak (Reg No. 43,148) Thomas L. Treffert (Reg No. P48,279) Michael R. Ward (Reg No. 38,651) Todd W. Wight (Reg No. 45,218) Frank Wu (Reg No. 41,386) Peter J. Yim (Reg No. 44,417) Karen R. Zachow (Reg No. 46,332)

Kelvan P. Howard (Reg No. P48,999) Jill A. Jacobson (Reg No. 40,030) Madeline I. Johnston (Reg No. 36,174) Ararat Kapouytian (Reg No. 40,044) Cameron A. King (Reg No. 41,897) Kawai Lau (Reg No. 44,461) Rimas T. Lukas (Reg No. 46,451) Gladys H. Monroy (Reg No. 32,430) Kate H. Murashige Martin M. Noonen (Reg No. 44,264) Phillip Reilly (Reg No. 41,415) Debra A. Shetka (Reg No. 33,309) Rebecca Shortle (Reg No. 47,083) Stanley H. Thompson (Reg No. 45,160) Brenda J. Wallach (Reg No. 45,193) E. Thomas Wheelock (Reg No. 28,825) Eric Witt (Reg No. 44,408) David T. Yang (Reg No. 44,415) George C. Yu (Reg No. 44,418)

all of Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018, telephone (650) 813-5600, to prosecute this application and transact all matters in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71 provided that if any one of said attorneys or agents ceases being affiliated with the law firm of Morrison & Foerster as partner, employee or of counsel, such attorney's or agent's appointment as attorney or agent and all powers derived therefrom shall terminate on the date such attorney or agent ceases being so affiliated.

Please direct all written communications relative to this application to:

Terri M. Shieh-Newton Morrison & Foerster LLP 755 Page Mill Road Palo Alto, California 94304-1018 Please direct all telephone communications to Terri M. Shieh-Newton at (650) 813-5649.

Phase-1 Molecular Toxicology, Inc. a Delaware corporation

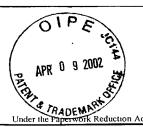
Dated: 2-28

, 2002 <u>/</u>

Name: Kenneth P. Redwine Title: Corporate Secretary

Address: 2904 Rodeo Park Drive East

Santa Fe, NM 87505



PTO/SB/96 (08-00) Approved for us through 10/31/2002 OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE duction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b) Applicant/Patent Owner: Spencer B. FARR et al. Application No./Patent No.: 09/911,904 July 23, 2001 Filed/Issue Date: CANINE TOXICITY GENES Entitled: Phase-1 Molecular Toxicology, Inc., a corporation (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.) states that it is: 1. X the assignee of the entire right, title, and interest; or 2. an assignee of less than the entire right, title and interest. The extent (by, percentage) of its ownership interest is in the patent application/patent identified above by virtue of either: A. [X]An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel_____, Frame ____, or for which a copy thereof is attached. OR B. [] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below: 1. From: To: The document was recorded in the United States Patent and Trademark Office at , or for which a copy thereof is attached. To: The document was recorded in the United States Patent and Trademark Office at , or for which a copy thereof is attached. Reel To: From: The document was recorded in the United States Patent and Trademark Office at _____, or for which a copy thereof is attached. ____, Frame___ [] Additional documents in the chain of title are listed on a supplemental sheet. [] Copies of assignments or other documents in the chain of title are attached. [NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08] The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO Assistant Commissioner for Patents, Washington, DC 20231.



ASSIGNMENT JOINT

.5 Gwendolyn Court, Santa Fe, Nm 87506

THIS ASSIGNMENT, by Spencer B. FARR, Gavin G/PICKETT, Robin Eilern NEFT, and Robert Thomas DUNN, II (hereinafter referred to as the assignors), residing at 5 Guendelyn Court, Santa Fe, NM 87501, 9601 Avenida de la luna N.E., Albuquerque, New Mexico 87111, 424 Serenity Ct. SE, Albuquerque, New Mexico, 87123 and 5383 Kim Road B, Rio Rancho, New Mexico, 87124, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in CANINE TOXICITY GENES, set forth in an application for Letters Patent of the United States, bearing Scrial No. 09/911,904 and filed on July 23, 2001; and

WHEREAS, Phase-I Molecular Toxicology, Inc., a corporation duly organized under and pursuant to the laws of Delaware and having its principal place of business at 2904 Rodeo Park Drive East, Santa Fc, NM 87505 (hereinafter referred to as the assignce) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW. THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND said assignors hereby request the Commissioner of Patents to Issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignce, its successors, legal representatives and assigns.

Date Gavin G. PICKETT Date Robin Eilcen NEFT Date Robert Thomas DUNN, II

County UF,

Azicnswledgid before no this LHL day of murch

2002, By Spencer B. Forr.

OFFICIAL SEAL KAREN E. GARCIA NOTARY PUBLIC-STATE OF NEW HEXICO



THIS ASSIGNMENT, by Spencer B. FARR, Gavin G. PICKETT, Robin Eileen NEFT, and Robert Thomas DUNN, II (hereinafter referred to as the assignors), residing at 5 Guendolyn Court, Santa Fe, NM 87501, 9601 Avenida de la luna N.E., Albuquerque, New Mexico 87111, 424 Serenity Ct. SE, Albuquerque, New Mexico, 87123 and 5383 Kim Road B, Rio Rancho, New Mexico, 87124, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in CANINE TOXICITY GENES, set forth in an application for Letters Patent of the United States, bearing Serial No. 09/911,904 and filed on July 23, 2001; and

WHEREAS, Phase-I Molecular Toxicology, Inc., a corporation duly organized under and pursuant to the laws of Delaware and having its principal place of business at 2904 Rodeo Park Drive East, Santa Fe, NM 87505 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

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Date

Spencer B. FARR

2/25/02

Javin J. Pickett

Date

Robin Eileen NEFT

Date

Robert Thomas DUNAY, II

OFFICIAL SEAL

SHARON A. CASTILLO

NOTARY PUBLIC STATE OF NEW MEXICO Notary Bond Filed with Secretary of State

My Commission Expires 01-29-05



ASSIGNMENT JOINT

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RABALBUL BULDER

OFFICIAL SEAL
Cynthia A. Padilla
NOTARY PUBLIC
STATE OF NEW MEXICO
AUG 3, 2002

Attorney Docket No.: 400742000200

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

Date

Date

Spencer B. FARR

Gavin G. PICKETT

Who have Enlager Miff

Robin Eileen NEFT

Date

Robert Thomas DUNN, II



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WHEREAS, said assignors have invented certain new and useful improvements in CANINE TOXICITY GENES, set forth in an application for Letters Patent of the United States, bearing Serial No. 09/911,904 and filed on July 23, 2001; and

WHEREAS, Phase-I Molecular Toxicology, Inc., a corporation duly organized under and pursuant to the laws of Delaware and having its principal place of business at 2904 Rodeo Park Drive East, Santa Fe, NM 87505 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

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Attorney Docket No.: 400742000200

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

Date

Spencer B. FARR

Date

Gavin G. PICKETT

Robin Eileen NEFT

3/26/02

Date

Robert Thomas DUNN, II

SUBSCRIBED AND SWORN TO before me this 26 day of Manch, 2002

OFFICIAL SEAL
Kenneth P. Redwine
NOTARY PUBLIC
STATE OF NEW MEXICO
My. Compress of April 3-27-2004

Notary Public

My Commission Expires: 3-27-200 4